

U.S. District Court [LIVE]

Eastern District of TEXAS (Marshall)

CIVIL DOCKET FOR CASE #: 2:17-cv-00070-JRG-RSP

Display Technologies, LLC v. HTC America, Inc.

Date Filed: 01/23/2017

Assigned to: Judge Rodney Gilstrap

Date Terminated: 07/10/2017

Referred to: Magistrate Judge Roy S. Payne

Jury Demand: Defendant

Member cases:

Nature of Suit: 830 Patent

2:17-cv-00069-JRG-RSP

Jurisdiction: Federal Question

2:17-cv-00067-JRG-RSP

2:17-cv-00068-JRG-RSP

Cause: 15:1126 Patent Infringement

Mediator

Harlan A Martin

JAMS/Endispute LLC

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Plaintiff

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V.

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Consol Defendant

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Member case No. 2:17-cv-00068

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Consol Defendant

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Member case No. 2:17-cv-00069

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Member case No. 2:17-cv-00068

represented by **Eric Hugh Findlay**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Consol Counter Defendant****Display Technologies, LLC**

Member case No. 2:17-cv-0068

represented by **Thomas C Wright**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/23/2017	1	COMPLAINT against HTC America, Inc. (Filing fee \$ 400 receipt number 0540-6122751.), filed by Display Technologies, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Civil Cover Sheet)(Wright, Thomas) (Entered: 01/23/2017)
01/23/2017	2	Case Assigned to Judge Rodney Gilstrap. (nkl,) (Entered: 01/23/2017)
01/23/2017	2	ORDER REFERRING CASE to Magistrate Judge Roy S. Payne. Signed by Judge Rodney Gilstrap on 1/23/2017. (nkl,) (Entered: 01/23/2017)
01/23/2017	3	In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form Consent to Proceed Before Magistrate Judge is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event Notice Regarding Consent to Proceed Before Magistrate Judge . (nkl,) (Entered: 01/23/2017)
01/23/2017	3	CORPORATE DISCLOSURE STATEMENT filed by Display Technologies, LLC (Wright, Thomas) (Entered: 01/23/2017)
01/23/2017	4	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Wright, Thomas) (Entered: 01/23/2017)
01/26/2017	5	SUMMONS Issued as to HTC America, Inc.. (ch,) (Entered: 01/26/2017)

02/21/2017	<u>1</u> <u>6</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re HTC America, Inc.(Wright, Thomas) (Entered: 02/21/2017)
02/21/2017	<u>1</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for HTC America, Inc. to 3/24/2017. 30 Days Granted for Deadline Extension.(slo,) (Entered: 02/21/2017)
02/22/2017	<u>1</u> <u>7</u>	SUMMONS Returned Executed by Display Technologies, LLC. HTC America, Inc. served on 2/1/2017, answer due 2/22/2017. (slo,) (Entered: 02/22/2017)
02/22/2017	<u>1</u>	Answer Due Deadline Updated for HTC America, Inc. to 3/24/2017 re the granting of Defendant's Unopposed First Application for Extension of Time to Answer Complaint. (slo,) (Entered: 02/22/2017)
03/22/2017	<u>1</u> <u>8</u>	Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re HTC America, Inc.(Wright, Thomas) (Entered: 03/22/2017)
03/22/2017	<u>1</u>	Defendant's Unopposed Second Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for HTC America, Inc. to 4/10/2017. 15 Days Granted for Deadline Extension.(slo,) (Entered: 03/22/2017)
04/10/2017	<u>1</u> <u>9</u>	MOTION to Dismiss <i>HTC America, Inc.'s Motion to Dismiss Plaintiff Display Technologies, LLC's Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(B)(3)</i> by HTC America, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Bernstein, Matthew) (Entered: 04/10/2017)
04/10/2017	<u>1</u> <u>10</u>	ANSWER to <u>1</u> Complaint by HTC America, Inc..(Bernstein, Matthew) (Entered: 04/10/2017)
04/10/2017	<u>1</u> <u>11</u>	CORPORATE DISCLOSURE STATEMENT filed by HTC America, Inc. (Bernstein, Matthew) (Entered: 04/10/2017)
04/20/2017	<u>1</u> <u>12</u>	NOTICE of Attorney Appearance by Eric Hugh Findlay on behalf of HTC America, Inc. (Findlay, Eric) (Entered: 04/20/2017)
04/21/2017	<u>1</u> <u>13</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>HTC America, Inc.'s Motion to Dismiss Plaintiff Display Technologies, LLC's Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(B)(3)</i> by Display Technologies, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Wright, Thomas) (Entered: 04/21/2017)
04/24/2017	<u>1</u> <u>14</u>	RESPONSE to Motion re <u>9</u> MOTION to Dismiss <i>HTC America, Inc.'s Motion to Dismiss Plaintiff Display Technologies, LLC's Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(B)(3)</i> filed by Display Technologies, LLC. (Wright, Thomas) (Entered: 04/24/2017)
04/25/2017	<u>1</u> <u>15</u>	ORDER granting <u>13</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>HTC America, Inc.'s Motion to Dismiss Plaintiff Display Technologies, LLC's Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(B)(3)</i> filed by Display Technologies, LLC.The Court extends Plaintiffs deadline to respond to Defendants motion to dismiss to May 8, 2017. Signed by Magistrate Judge Roy S. Payne on 4/25/2017. (slo,) (Entered: 04/26/2017)
04/28/2017	<u>1</u> <u>16</u>	CONSOLIDATION ORDER: The above-captioned cases are hereby ORDERED to be CONSOLIDATED for all pretrial issues (except venue) with the LEAD CASE as Cause No. 2:17-cv-00070. ALL FUTURE DOCKET ENTRIES SHOULD BE MADE IN THE LEAD CASE NUMBER (EXCEPT VENUE). Signed by Judge Rodney Gilstrap on 4/28/2017. (slo,) (Entered: 05/01/2017)
05/01/2017	<u>1</u> <u>17</u>	ANSWER to Complaint by Display Technologies, LLC.(Wright, Thomas) (Entered: 05/01/2017)
05/01/2017	<u>1</u> <u>18</u>	

		ORDER (Scheduling Conference set for 5/31/2017 01:30 PM in Ctrm 106 (Marshall) before Judge Rodney Gilstrap.) Signed by Magistrate Judge Roy S. Payne on 5/1/2017. (slo,) (Entered: 05/02/2017)
05/02/2017	<u>19</u>	NOTICE of Attorney Appearance by Lai Lam Yip on behalf of ZTE (USA) Inc. (Yip, Lai) (Entered: 05/02/2017)
05/02/2017	<u>20</u>	NOTICE of Attorney Appearance by Patrick John McKeever on behalf of HTC America, Inc. (McKeever, Patrick) (Entered: 05/02/2017)
05/17/2017	<u>21</u>	Joint MOTION to Stay <i>all Deadlines and Notice of Settlement</i> by Display Technologies, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Wright, Thomas) (Entered: 05/17/2017)
05/18/2017	<u>22</u>	**FILED IN ERROR, PLEASE IGNORE. ** NOTICE by Display Technologies, LLC <i>OF Waiver</i> (Wright, Thomas) Modified on 5/19/2017 (slo,). (Entered: 05/18/2017)
05/18/2017	<u>23</u>	ORDER granting <u>21</u> Joint MOTION to Stay <i>all Deadlines and Notice of Settlement</i> filed by Display Technologies, LLC. Case is stayed for 30 days from the date of this order. (Show Cause Hearing set for 6/28/2017 09:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Roy S. Payne.) Signed by Magistrate Judge Roy S. Payne on 5/18/2017. (slo,) (Entered: 05/18/2017)
05/19/2017	<u>24</u>	***FILED IN ERROR. FILED IN WRONG CASE. Document # 22, Notice. PLEASE IGNORE.*** (slo,) (Entered: 05/19/2017)
05/30/2017	<u>25</u>	NOTICE of Attorney Appearance by William Ellsworth Davis, III on behalf of Blu Products, Inc. (Davis, William) (Entered: 05/30/2017)
05/30/2017	<u>26</u>	NOTICE of Attorney Appearance by Roger Brian Craft on behalf of HTC America, Inc., ZTE (USA) Inc. (Craft, Roger) (Entered: 05/30/2017)
05/31/2017	<u>27</u>	Minute Entry for proceedings held before Judge Rodney Gilstrap: Scheduling Conference held on 5/31/17. Counsel for the parties appeared and were asked if they consented to a trial before the United States Magistrate Judge. The Court then gave Markman and Jury Selection dates; deadlines for submitting Mediator names (3 days); and deadlines for submitting Agreed Scheduling and Discovery Orders (14 days). (Court Reporter Shelly Holmes, CSR-TCRR.)(jml) (Entered: 06/01/2017)
06/05/2017	<u>28</u>	NOTICE of Designation of Mediator, Harlan Martin, filed by Display Technologies, LLC. (Wright, Thomas) (Entered: 06/05/2017)
06/06/2017	<u>29</u>	ORDER APPOINTING MEDIATOR. Harlan A. Martin is appointed as mediator in the above referenced case. Signed by Magistrate Judge Roy S. Payne on 6/6/2017. (slo,) (Entered: 06/06/2017)
06/09/2017	<u>30</u>	Unopposed MOTION to Change Venue <i>TO THE WESTERN DISTRICT OF WASHINGTON IN SEATTLE</i> by HTC America, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Craft, Roger) (Entered: 06/09/2017)
06/14/2017	<u>31</u>	* FILED IN ERROR. PLEASE IGNORE. * Submission of Proposed Agreed Docket Control/Scheduling order by Display Technologies, LLC . (Attachments: # <u>1</u> Exhibit Proposed Docket Control Order)(Wright, Thomas) Modified on 6/14/2017 (slo,). (Entered: 06/14/2017)
06/14/2017	<u>32</u>	* FILED IN ERROR. PLEASE IGNORE. * Submission of Proposed Agreed Discovery order by Display Technologies, LLC . (Attachments:

1 Exhibit Proposed Agreed Discovery Order)(Wright, Thomas) Modified on 6/14/2017 (slo,). (Entered: 06/14/2017)

06/14/2017	1	***FILED IN ERROR. Document # 29, WRONG EVENT USED. ATTORNEY TO REFILE. PLEASE IGNORE.*** (slo,) (Entered: 06/14/2017)
06/14/2017	1	***FILED IN ERROR. Document # 30, WRONG EVENT USED. ATTORNEY TO REFILE. PLEASE IGNORE.*** (slo,) (Entered: 06/14/2017)
06/14/2017	131	MOTION Entry of Docket Control Order by Display Technologies, LLC. (Attachments: # 1 Exhibit Proposed Docket Control Order)(Wright, Thomas) (Entered: 06/14/2017)
06/14/2017	132	MOTION Entry of Discovery Order by Display Technologies, LLC. (Attachments: # 1 Exhibit Proposed Agreed Discovery Order)(Wright, Thomas) (Entered: 06/14/2017)
06/14/2017	133	Unopposed MOTION TO CANCEL DEADLINES by HTC America, Inc.. (Attachments: # 1 Text of Proposed Order)(Findlay, Eric) (Entered: 06/14/2017)
06/15/2017	134	DOCKET CONTROL ORDER re 31 MOTION Entry of Docket Control Order filed by Display Technologies, LLC. (Pretrial Conference set for 8/13/2018 09:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Roy S. Payne., Amended Pleadings due by 11/8/2017, Jury Selection set for 9/10/2018 09:00 AM in Ctrm 106 (Marshall) before Judge Rodney Gilstrap, Markman Hearing set for 1/24/2018 09:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Roy S. Payne, Motions in Limine due by 7/23/2018, Joint Pretrial Order due by 8/6/2018.) Signed by Magistrate Judge Roy S. Payne on 6/15/2017. (slo,) (Entered: 06/16/2017)
06/15/2017	135	DISCOVERY ORDER re 32 MOTION Entry of Discovery Order filed by Display Technologies, LLC. Signed by Magistrate Judge Roy S. Payne on 6/15/2017. (slo,) (Entered: 06/16/2017)
06/19/2017	136	ORDER granting 28 Unopposed MOTION to Change Venue <i>TO THE WESTERN DISTRICT OF WASHINGTON IN SEATTLE</i> filed by HTC America, Inc. (Case transferred to the Western District of Washington in Seattle, and the Docket Control Order and other deadlines are vacated in the interim.) Signed by Magistrate Judge Roy S. Payne on 6/19/2017. (slo,) (Entered: 06/20/2017)
06/21/2017	137	Joint MOTION for Protective Order by ZTE (USA) Inc.. (Attachments: # 1 Text of Proposed Order Patent Protective Order)(Miller, Scott) (Entered: 06/21/2017)
06/22/2017	138	PROTECTIVE ORDER. Signed by Magistrate Judge Roy S. Payne on 6/22/2017. (slo,) (Entered: 06/22/2017)
06/27/2017	139	Joint MOTION to Continue <i>Show Cause Hearing</i> by Display Technologies, LLC. (Attachments: # 1 Text of Proposed Order)(Wright, Thomas) (Entered: 06/27/2017)
06/27/2017	140	NOTICE by Blu Products, Inc. <i>of Compliance with Paragraphs 1 and 3 of the Discovery Order</i> (Lew, Isaac) (Entered: 06/27/2017)
06/28/2017	141	NOTICE by Display Technologies, LLC <i>of Compliance with Paragraphs 1 and 3 of the Discovery Order</i> (Wright, Thomas) (Entered: 06/28/2017)
06/28/2017	142	NOTICE by Display Technologies, LLC <i>of Compliance with Paragraphs 1 and 3 of the Discovery Order</i> (Wright, Thomas) (Entered: 06/28/2017)
06/28/2017	143	NOTICE by ZTE (USA) Inc. <i>of Compliance with Paragraphs 1 and 3 of the Discovery Order</i> (Miller, Scott) (Entered: 06/28/2017)

07/06/2017	<u>44</u>	ORDER granting <u>39</u> Joint MOTION to Continue <i>Show Cause Hearing</i> filed by Display Technologies, LLC. Show-cause hearing set for June 27,2017, is continued. (Show Cause Hearing set for 7/12/2017 09:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Roy S. Payne.) Signed by Magistrate Judge Roy S. Payne on 7/6/2017. (slo,) (Entered: 07/06/2017)
07/10/2017	<u>I</u>	Interdistrict transfer to the Western District of Washington Seattle Division. (slo,) (Entered: 07/10/2017)